



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,188	07/25/2001	John C. Dute	A-70825/RMA	5259
1678 7590 10/22/2007 MARSHALL & MELHORN FOUR SEAGATE, EIGHT FLOOR TOLEDO, OH 43604			EXAMINER CHANG, JUNGWON	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 10/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

OCT 22 2007

Technology Center 2100

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/915,188
Filing Date: July 25, 2001
Appellant(s): DUTE ET AL.

Stephen G. Kimmet
For Appellant

EXAMINER'S ANSWER

This is in response to the rely brief filed 7/27/2007. The reply brief has been entered and considered. Applicants assert that "In the Examiner's Answer of May 30, 2007, the Examiner has not responded to Applicants' assertion that the Examiner has based the 35 U.S.C. 112 first paragraph rejections on misquoting Applicants. Specifically, the

Examiner states on page 3, in item 2, that "Applicant(s) has cited **page 3**, lines 4-12, in support of claim limitations associated with "simultaneously" receiving a condition from a sensor and sending commands to an actuator." In addition, this same misquote is utilized by the Examiner on page 4, second paragraph, which is in regard to Applicants' claim limitations that each physical circuit package is electrically connected directly, exclusively, and physically to a single sensor or a single actuator, but not both simultaneously. Applicants assert that the proper citation is page 4, lines 4-12, which supports the above-stated claim limitations".

Contrary to applicant's assertion, the examiner finds that the proper citation **page 4**, lines 4-12 still fails to support or describe the claim limitations of "***simultaneously*** receiving a condition from a sensor and sending commands to an actuator"; and the limitations of "***each physical circuit package is electrically connected directly, exclusively, and physically*** to a single sensor or a single actuator, ***but not both simultaneously***".

The passage cited page 4, lines 4-12 which states in part that: "receiving inputs from the sensor ***or*** sending commands to an actuator" that fails to provide proper support of ***simultaneously*** receiving a condition from a sensor ***and*** sending commands to an actuator".

In addition, the passage cited page 4, lines 4-12 which states in part that: "coupling the sensor or actuator with first and second electrical terminals of an interface having a plurality of operation mode circuits providing different signal type input and output functions..." that also fails to provide proper support of **each physical circuit**

Art Unit: 2154

package is electrically connected directly, exclusively, and physically to a single sensor or a single actuator, but not both simultaneously”.

Therefore, the examiner maintains 35 U.S.C. 112 first paragraph rejections. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.



JUNGWON CHANG
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100